

DRAFT RULE SUMMARY

DEFINITIONS

- Created a new definition for NR 20.40 - "**Aquatic invasive species**" means non-indigenous water or wetland-dwelling organisms or their hybrids whose introduction into aquatic ecosystems causes or is likely to cause adverse economic, recreational or environmental impacts or harm to human health. – Currently found in NR 198 - AQUATIC INVASIVE SPECIES CONTROL GRANTS.
- Amended the definition of a "**Fishing tournament**" to make it more general/broad – "Fishing tournament" means any organized fishing activity, on any water of the state where competition is the primary intent, and where prizes or incentives are awarded.
- Created several new definitions for NR 20.40 which refer to specific types of tournament formats, processes, and regulatory categories:
 - "**Immediate-release tournament**", "**Live-release tournament**", "**Off-site weigh-in**"
 - "**Permitted fishing tournament**", "**Permitted fishing tournament boat days**"
 - "**Possess**" or "**Possession**", "**Traditional fishing tournament**", "**Weigh-in**"
- Changed the term "**Sponsor**" to "**Organizer**" but maintained the definition.

PERMIT REQUIRED

- Establishes new tournament permit requirements (If any of the following are true).
 - Requires a permit for all tournaments consisting of 20 boats or 100 participants on lakes, rivers, Great Lakes, WI-MN and WI-IA boundary waters.
 - Requires a permit for all tournaments that target trout on classified trout streams.
 - Requires a permit for all live release tournaments with an off-site weigh-in.
 - Requires a permit for all tournaments with prizes of \$10,000 or more.

NO PERMIT REQUIRED

- Exempts the permit requirement for tournaments with fewer than 20 boats (open water) or 100 participants (ice fishing), if they are not targeting trout on classified trout streams, if they do not include an off-site weigh-in, and if prizes are less than \$10,000.

FISHING TOURNAMENT PERMIT FEES

- Fishing tournament permit fee alternatives have been analyzed and are presented in a separate document. The main issue regarding fees is who pays to sustain the fishing tournament permit program; tournament organizers, tournament anglers, general anglers, or some combination.
- No application fee for tournaments limited to youth under the age of 18 or limited to developmentally or physically disabled persons.

FISHING TOURNAMENT PARTICIPANT PERMIT FEES

- The draft rule language contains EXAMPLE LANGUAGE for annual permits required for open water fishing tournament anglers. Whether or not this option is pursued, and a resulting fee amount will likely be determined based on public input.

PERMIT APPLICATION FEES

- The draft rule language contains EXAMPLE LANGUAGE for non-refundable permit application fees. Whether or not this option is pursued, and a resulting fee amount will likely be determined based on public input.

PERMIT APPLICATION PROCESS

- The draft rule contains language establishing a permit application process.
- Department begins accepting permits **August 1**.
- Applications received **August 1** – the **September 30** subject to lottery drawing if monthly limits are exceeded. The department must notify the applicant that the event is subject to drawing and allows 7 days to change date or location.

- **Traditional fishing tournaments** are not included in the drawing unless they are competing with other traditional fishing tournaments for limited fishing tournament permits for a body of water (i.e. “grand-fathered”).
- Applicants are notified by **November 7** of approval or denial of permit (based on lottery drawing results).
- Applications received after the **September 30** approved first come first serve if limits are not exceeded, must be at least 30 days prior to event.

COMPLIANCE

- Minor changes were made to the compliance section to aid in clarifying what may constitute a violation.
 - Requires all participants to comply with all permit conditions.
 - Requires organizer to expel a participant that fails to comply.
 - Requires organizer to provide a copy of the permit and tournament rules to all participants.
 - Provides inspection authority to Conservation Wardens.

LIMITS ON SIZE AND NUMBER OF FISHING TOURNAMENTS

- Establishes a maximum size (number of boats per day) an open-water fishing tournament can be based on lake size.
- Establishes monthly maximums for open-water fishing tournaments based on an index of pressure calculated as:
 - Open-water (Permitted fishing tournament boat days) = (number of boats) * (number of tournament days).
- Monthly maximums for open-water took into account maximum public access standards found in NR 1.91(5)(b). See table below.

Lake Size	Number of Lakes	Maximum # of Boats	Maximum # of Days	Maximum # of Tournaments	Maximum Pressure Boat*Days	Comments
<100 acres	1,984*	0	0	0	0	per March meeting
100 - 449	902	25	2	2	100	1 boat / 15 acres
450 - 999	169	50	3	3	450	1 boat / 25 acres
1000-4999	112	125	3	3	1125	1 boat / 30 acres
5000-9999	15	150	4	4	2400	1 boat / 50 acres
10,000 +	9	No limit	No limit	No limit	No Limit	

*Number of lakes <100 acres includes only lakes larger than 25 acres and less than 100 acres.

- **Maximum number of boats** calculated as the (top-end acreage) divided by (number of acres per boat)*75%.
 - **Maximum number of days** and **maximum number of tournaments** were arbitrarily selected.
 - **Maximum pressure** is the product of (maximum number of boats)*(maximum number of days)*(maximum number of tournaments).
- Monthly maximum number of participants for ice-fishing was created based primarily on tournament committee discussions and equal to roughly 10x the maximum number of boats.

Lake Size	Number of Lakes	Maximum # of Participants	Maximum # of Days	Maximum # of Tournaments	Maximum Pressure Participants*Days
<100 acres	1,984*	100	No limit	No limit	No Limit
100 - 449	902	250	No limit	No limit	No Limit
450 - 999	169	500	No limit	No limit	No Limit
1000-4999	112	1000	No limit	No limit	No Limit
5000-9999	15	1500	No limit	No limit	No Limit
10,000 +	9	No limit	No limit	No limit	No Limit

*Number of lakes <100 acres includes only lakes larger than 25 acres and less than 100 acres.

- Establishes a maximum number of concurrent permitted fishing tournaments (open water and ice fishing) that can take place based on lake size (<1,000 acres - one; 1,000 – 10,000 – two; >10,000 - no limit).
- Provides the department with the ability to permit tournaments on lakes smaller than 100 acres if it determines the event will promote public awareness of fishing and the state's resources; and conforms to best management practices for the lake; or is a traditional fishing tournament.
- Specifies how tournament maximums will apply to lake chains (Acreage of individual lakes within a chain of interconnected lakes shall be summed for use in determining monthly maximums; the interconnected lakes permitted shall not be interrupted by a lock, dam or other obstruction which prevents free navigation from one lake to another by the types of boats or vehicles used by the participants to be considered a chain for application of monthly maximums.
- Establishes that for boundary water lakes, the limits on the number of permitted fishing contests shall be determined based on the Wisconsin acreage.
- Establishes monthly maximum number of tournaments on rivers. Mississippi River maximums are the same as those used by MN. The Fox, Wolf, and Wisconsin River maximums are the same as the St. Croix (WI-MN) based on their similarity.
- Limits fishing tournaments Mississippi River pools to no more than three.
- Establishes specific boundary for fishing tournaments on Lake St. Croix (HWY 10 bridge at Prescott upstream to the Acola Bar) – pseudo-defines Lake St. Croix.
- Establishes monthly limits for other rivers (2 per month per segment).

ADDITIONAL FISHING CONTEST PERMITS

- Establishes a procedure by which additional tournament permits above monthly maximums for waters.

DISPOSITION OF DEAD FISH

- Requires permit applicants to provide a plan for disposition of dead fish that result from the fishing tournament.

GENERAL PROVISIONS AND PERMIT CONDITIONS

- Establishes general authority for the department to deny permits to protect fisheries resources.
- Eliminates the prohibition of permitted fishing tournaments on opening weekend of a fishing season.
- Prohibits permitted fishing tournaments during the three-day Memorial Day weekend, Fourth of July, and three-day Labor Day weekend. Allows an exemption to traditional fishing tournaments.
- Allows the department to require tournament sponsors to make alternative parking arrangements to ensure reasonable public access to the water where a permitted fishing tournament is being conducted and provide the plan to the department upon request.
- Requires consistent and obvious marking of tournament boats.
- Establishes criteria to be followed by tournament participants in order for an event to be considered an “immediate-release tournament”. The criteria specify what type of fish handling can be conducted on the water without constituting possession.
- Establishes restriction for “live release tournaments”.
 - No live-release tournaments for muskellunge, northern pike, sturgeon, or trout with an off-site weigh-in.
- Establishes standards for fish holding equipment and fish handling procedures for “live release tournaments” (much of this is from Keeping Bass Alive).
 - Boats must have working live wells.
 - If utilized, on-shore holding tanks used to hold fish during the weigh-in process must have the capacity sufficient to hold at least 1 gallon of water per pound of fish held.
 - The holding tanks on shore are equipped with aeration or oxygenation systems that maintain the dissolved oxygen at 5 ppm or higher.
 - Allows the department to specify other fish holding and handling conditions.
 - Requires approval of an off-site weigh-in.

- Provides authority to write conditions to prevent waste of the resource when environmental conditions warrant.
 - Department may require immediate release or harvest of fish.
 - Department may restrict area fish or distance traveled by anglers.
 - Department may require redistribution.
- Provides department authority to modify or revoke a permit at any time to protect natural resources.
 - Circumstances include: discovery or presence of a fish disease, unusual and potentially detrimental water quality, such as high water temperature and low dissolved oxygen, and unusual weather event.

USE OF TAGGED FISH

- Provides a process for allowing the use of tagged fish.
 - To enhance collection of data for management purposes as part of a scientific study, or
 - The tagged fish are legally obtained from a licensed private fish hatchery and are planted under a stocking or introduction permit issued by the Department under s. 29.736, Stats., and s. NR 19.05, or
 - The fishing tournament promotes public awareness of fishing and the state's resources, and conforms to best management practices for the lake.

REGULATION OF AIS

- Specifies that all participants must comply with current laws regarding AIS, found in s. 30.715, Wis. Stats, and all rules promulgated under that section.
- Requires that prior to the tournament, fishing tournament sponsors inform all tournament participants of procedures recommended by the Department to clean and decontaminate boats and equipment of aquatic vegetation and invasive species.
- It allows the department to write other conditions regarding AIS.